

Joint Standing Committee on Natural Resources

LD 21

An Act to Eliminate the Use of MTBE in Maine

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TRIPP LIBBY		

LD 21 proposes to prohibit the sale of gasoline or fuel products that are treated with MTBE. This bill was carried over to the Second Regular Session of the 119th Legislature.

LD 100

An Act to Expedite the Permitting Process within the Department of Environmental Protection

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KNEELAND KIEFFER	ONTP	

LD 100 proposed to require that when a presubmission meeting is held for a project that requires multiple permits from the Department of Environmental Protection, the Commissioner of Environmental Protection would provide the applicant with a list of the information necessary for all the required permit applications to be accepted as complete for processing.

LD 141

An Act to Amend the Diesel-powered Motor Vehicle Emission Opacity Testing Program

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GAGNE PINGREE	ONTP	

LD 141 proposed to make a violation of the diesel-powered motor vehicle emission opacity testing program a traffic infraction resulting in a \$100 fine. The bill proposed to require the court to suspend the fine if the defendant could certify to the court that the required repairs were made prior to the hearing date.

LD 301

An Act to Amend the Open-burning Laws

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FULLER	ONTP	

LD 301 proposed to prohibit the out-of-door burning of wooden boxes or other wood material, paper and cardboard and the burning of demolition debris at solid waste disposal facilities.

The bill also proposed to eliminate as criteria for issuing any permit or permission for allowable burning the public health risk from toxic chemicals in the smoke plume and the practicality of locating the incinerator at least 300 feet from any abutting property boundary and at least 150 feet from any residential dwelling.

LD 342

An Act to Amend the Laws Regarding the Fee Paid When Purchasing a New Tire or Battery

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCKENNEY	ONTP	

LD 342 proposed to require that the revenues obtained from the recycling assistance fee imposed on the retail sale of new tires and new lead-acid batteries must be used to pay off any publicly approved bond issues that have the purpose of cleaning up tire stockpiles. In addition, this bill proposed to repeal the recycling assistance fee for new tires and new lead-acid batteries upon the complete payment of all bond issues pertaining to the cleanup of tire stockpiles.

LD 498

An Act Relating to Transfer of Ownership of Dams

PUBLIC 71
EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COLWELL TREAT	OTP-AM	H-106

LD 498 proposed to require prospective dam owners under the dam abandonment statutes to provide a plan to the Maine Emergency Management Agency that provides proof of sufficient liability insurance and compliance with Maine Emergency Management Agency regulations. This bill also proposed to provide that if the ownership of a dam is assumed by a municipality, 75% of the operational funding must be provided by the State through the Local Government Fund under the state-municipal revenue sharing program.

Committee Amendment "A" (H-106) proposed to replace the original bill. It proposed to require new owners of a dam classified as a high or significant hazard dam to provide the Director of the Maine Emergency Management Agency with the name and address of the new owner or owners 45 days prior to any change of ownership of the dam, along with a copy of the new owner's plan to operate the dam. This amendment also proposed to require the director to conduct a hazard examination and an on-site structural stability inspection of each high or significant hazard dam in the State at least once every 6 years or within 30 days of receiving notice of the change of ownership of the dam, unless the dam has been inspected within four years preceding the date of transfer. Finally, the amendment proposed to make dam owners responsible for any additional inspection fees incurred by the Maine Emergency Management Agency in connection with an inspection relating to a transfer of ownership.

Enacted law summary

Public Law 1999, chapter 71 requires a new owner or owners of a dam classified as a high or significant hazard dam to provide the Director of the Maine Emergency Management Agency with the name and address of the new owner or owners 45 days prior to any change of ownership of the dam, along with a copy of the new owner's plan to operate the dam. This law also requires the director of the Maine Emergency Management Agency to conduct a hazard examination and an on-site structural stability inspection of each high or significant hazard dam in the State at least once every 6 years or within 30 days of receiving notice of the change of ownership of the dam, unless the dam has been inspected within four years preceding the date of transfer. Finally, the law makes dam owners responsible for any

additional inspection fees incurred by the Maine Emergency Management Agency in connection with an inspection relating to a transfer of ownership.

Chapter 71 was enacted as an emergency measure effective April 16, 1999.

LD 593

An Act to Promote the Recycling of Fish Scales as Agricultural Fertilizer

**PUBLIC 283
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KILKELLY PIEH	OTP-AM	S-183

LD 593 proposed to extend to fish scales the same exemption from Maine's solid waste laws accorded to waste resulting from agricultural activities, as long as these fish scales are returned to the soils as fertilizers.

Committee Amendment "A" (S-183) proposed to replace the bill, add an emergency preamble and an emergency clause. It proposed to allow a person to use fish scales as a crop nutrient supplement without a license as long as the type of scales and the process for extracting, handling and spreading the scales have received initial review and approval by the Department of Environmental Protection, that the farm using fish scales has developed and implemented a nutrient management plan and that the person supplying the fish scales provides the department with the name of the person receiving the scales, the location where the scales will be used and the quantity of the fish scales shipped within seven days of shipping the scales.

Enacted law summary

Public Law 1999, chapter 283 allows a person to use fish scales as a crop nutrient supplement without a license as long as the type of scales and the process for extracting, handling and spreading the scales have received initial review and approval by the Department of Environmental Protection, that the farm using fish scales has developed and implemented a nutrient management plan and that the person supplying the fish scales provides the department with the name of the person receiving the scales, the location where the scales will be used and the quantity of the fish scales shipped within seven days of shipping the scales.

Chapter 283 was enacted as an emergency measure effective May 21, 1999.

LD 638

**An Act to Amend the Closure and Remediation Cost-sharing Program
Concerning Landfills**

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CASSIDY	ONTP	

LD 638 proposed to allow public entities to be eligible for reimbursement or cost-sharing grants for costs incurred in the closure or remediation of a solid waste landfill if the public entity accepted responsibility for the closure of a landfill.

Sponsor(s)
NUTTING J
COWGER

Committee Report
OTP-AM

Amendments Adopted
S-125

LD 665 proposed to require a public utility that owns a transformer manufactured before 1965 that contains polychlorinated biphenyls, PCBs, to replace the transformer or remove the PCBs from the transformer. It proposed to establish as a goal that this requirement be met within four years.

Committee Amendment "A" (S-125) proposed to establish voluntary goals for the removal of pole-mounted and pad-mounted transformers owned by public utilities that contain polychlorinated biphenyls in concentrations at or above 50 parts per million. The goal for the date of removal of such transformers located within 100 feet of surface waters or schools would be October 1, 2005 and the goal for the date of removal of other such transformers would be October 1, 2011.

The amendment proposed to require a public utility that owns transformers subject to the goals to submit a report by January 15, 2001 to the joint standing committee of the Legislature having jurisdiction over natural resources matters on its progress toward removing those transformers and a plan for removing those transformers located in underground vaults.

The amendment proposed to require the Department of Environmental Protection to gather information on sources of polychlorinated biphenyls that may be released into the environment and submit a report by January 15, 2001 to the joint standing committee of the Legislature having jurisdiction over natural resources matters with its findings and recommendations related to polychlorinated biphenyls in the environment.

Enacted law summary

Public Law 1999, chapter 193 establishes voluntary goals for the removal of pole-mounted and pad-mounted transformers owned by public utilities that contain polychlorinated biphenyls in concentrations at or above 50 parts per million. The goal for the date of removal of such transformers located within 100 feet of surface waters or schools is October 1, 2005 and the goal for the date of removal of other such transformers is October 1, 2011.

The law requires a public utility that owns transformers subject to the goals to submit a report by January 15, 2001 to the joint standing committee of the Legislature having jurisdiction over natural resources matters on its progress toward removing those transformers and a plan for removing those transformers located in underground vaults.

The law requires the Department of Environmental Protection to gather information on sources of polychlorinated biphenyls that may be released into the environment and submit a report by January 15, 2001 to the joint standing committee of the Legislature having jurisdiction over natural resources matters with its findings and recommendations related to polychlorinated biphenyls in the environment.

Sponsor(s)
DAIGLE

Committee Report
ONTP

Amendments Adopted

LD 692 proposed to require that a party or person who is responsible for causing a discharge of hazardous matter report the discharge immediately to the Department of Public Safety only if the discharge posed a potential threat to human

health or the environment. Under current law, a responsible party or person must report any discharge of hazardous matter into the waters of the State, onto the land or into the ambient air.

LD 712 **Resolve, Creating a Task Force to Investigate the Effects of Unratified International Treaties Implemented by State Agencies** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SNOWE-MELLO	ONTP	

LD 712 proposed to establish a task force to investigate the impact on state agencies of unratified international treaties such as the conventions on climate change and biodiversity. While the committee voted ONTP on this bill, the Legislature enacted P. L. 307, (See LD 2131) which addresses notice issues and consensus based rule development processes by requiring agencies to give advance notice of meetings and rulemakings to representative groups and other interested parties.

LD 770 **An Act to Make the Laws Governing State Ambient Air Quality for Ozone and Particulate Matter Consistent with Federal Requirements** **PUBLIC 79**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BULL	OTP-AM	H-105

LD 770 proposed to amend the air quality laws in Maine by changing the standards for particulate matter and the threshold for ozone advisories to be consistent with new federal standards.

This bill was submitted on behalf of the Department of Environmental Protection.

Committee Amendment "A" (H-105) proposed to change the ozone particulate standard from 84 parts per billion to .08 parts per million to mirror the National Ozone Standard.

Enacted law summary

Public Law 1999, chapter 79 modifies the standards for particulate matter and the threshold for ozone advisories from 84 parts per billion to .08 parts per million to be consistent with the National Ozone Standard.

LD 909 **An Act to Amend the Laws Governing the Land Application of Municipal Wastewater Treatment Plant Sludge** **PUBLIC 393**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LIBBY	OTP-AM	S-317

LD 909 proposed to clarify the partial preemption of home rule authority that governs municipal ordinances regarding solid waste facilities to allow municipalities to require the testing of the actual wastewater treatment plant sludge that is going to be spread in that municipality to ensure that it meets the standards or parameters that are otherwise established by state law or rule. This bill proposed to limit the municipal testing authority to one analysis per site for each year. In addition, this bill proposed to require the Department of Environmental Protection to conduct at least one inspection annually of all the sites that are located in municipalities that the department approves for the spreading of sludge if sludge was applied to the site during the calendar year.

Committee Amendment "A" (S-317) proposed to amend the bill as follows.

1. It proposed to provide for a definition of "sludge" for the Maine Hazardous Waste, Septage and Solid Waste Management Act.
2. It proposed to provide that, effective January 1, 2000, all rules adopted relating to the agronomic utilization of sludge are major substantive rules.
3. It proposed to require the Department of Environmental Protection to notify the affected municipality within 14 working days from its receipt of an application for a sludge land application site or storage facility.
4. It proposed to require the department to provide a municipality with copies of all test results performed on the sludge material that will be spread in that municipality.
5. It proposed to require the department to consult with the municipal officers within 10 days of receiving any request by the generator to change the terms or conditions of any permit or license.
6. It proposed to allow the municipality to petition the Commissioner of Environmental Protection to review a generating facility's testing protocol for sludge.
7. It proposed to permit the Commissioner of Environmental Protection to order the applicant to conduct an additional test at the applicant's cost, and to require a copy of the additional test results to be provided to the municipality.
8. It proposed to prohibit sludge land application sites within 75 feet of any river, perennial stream or great pond, and a storage site or storage facility that is off the site of generation of the sludge and that is within 250 feet of any river, perennial stream or great pond.
9. It proposed to allow a person who owns property that abuts a sludge land application site or storage facility to restrict the sludge application or sludge storage site to no less than 50 feet from the abutting property boundary.

Enacted law summary

Public Law 1999, chapter 393 does the following:

1. It provides for a definition of "sludge" for the Maine Hazardous Waste, Septage and Solid Waste Management Act.
2. It provides that, effective January 1, 2000, all rules adopted relating to the agronomic utilization of sludge are major substantive rules.
3. It requires the Department of Environmental Protection to notify the affected municipality within 14 working days from its receipt of an application for a sludge land application site or storage facility.
4. It requires the department to provide a municipality with copies of all test results performed on the sludge material that will be spread in that municipality.
5. It requires the department to consult with the municipal officers within 10 days of receiving any request by the generator to change the terms or conditions of any permit or license.
6. It allows the municipality to petition the Commissioner of Environmental Protection to review a generating facility's testing protocol for sludge.
7. It permits the Commissioner of Environmental Protection to order the applicant to conduct an additional test at the applicant's cost. A copy of the additional test results must be provided to the municipality.

8. It prohibits sludge land application sites within 75 feet of any river, perennial stream or great pond, and a storage site or storage facility that is off the site of generation of the sludge and that is within 250 feet of any river, perennial stream or great pond.
9. It allows a person who owns property that abuts a sludge land application site or storage facility to restrict the sludge application or sludge storage site to no less than 50 feet from the abutting property boundary.

LD 921

An Act to Opt Out of the Requirement to Use Reformulated Gas

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GOODWIN	ONTP	

LD 921 proposed to require the Governor to petition the federal government to end the requirement for sale of reformulated gas in certain counties in the State.

LD 940

An Act to Permit Property Owners to Put Sand on and Rake Their Beaches

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MACK	ONTP	

LD 940 proposed to allow property owners who own land on the water to rake their beaches without the need to get permits under the natural resources protection laws. The bill also proposed to allow property owners on Sebago Lake to add sand, gravel and rocks to their beaches for 1 1/2 years without the need to get permits. The bill proposed to repeal this exception to the permit requirement 18 months from the effective date.

LD 953

An Act to Reclassify Certain Waters of the State

PUBLIC 277

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NUTTING J CAMERON	OTP-AM	S-220

LD 953 proposed to implement a list of recommendations made by the Board of Environmental Protection for the reclassification of surface waters pursuant to the guidance provided in the Maine Revised Statutes, Title 38, section 464, subsection 2. The proposed reclassifications are based on actual water quality data, water quality model projections after completion of treatment facilities or other management changes to these waters, and from public comments received at a series of statewide public hearings conducted by the board to acquire information on present and potential use.

This bill was submitted on behalf of the Department of Environmental Protection.

Committee Amendment "A" (S-220) proposed to do the following:

1. To reclassify the South Branch Carrabassett River from Class A to Class AA, but to specify that the existing use of permitted water withdrawal from that river segment provides significant social and economic benefits and may be maintained;

2. To reclassify Crooked Stream, a tributary of the Machias River, from Class A to Class AA;
3. To reclassify Shorey Brook, a tributary of the Narraguagus River, from Class A to Class AA;
4. To reclassify Salmon Stream, a tributary of the Penobscot River, from Class B to Class A, rather than Class AA as proposed in the bill;
5. To reclassify Buff Brook, a tributary of the Saco River, from Class B to Class A, rather than Class AA as proposed in the bill;
6. To classify 2,000 feet of the St. George River, beginning at the outlet of Little Pond, as Class A. That segment of the river was reclassified from Class C to Class AA in 1990 as a result of a significant procedural error that occurred during the reclassification process in 1989 and 1990;
7. To reclassify the segment of the Salmon Falls River from the Route 9 bridge to tidewater from Class B to Class C;
8. To make the reclassification of a small area of Somes Sound from Class SB to Class SA contingent upon the Commissioner of Environmental Protection certifying that there is a practicable alternative to the two existing licensed overboard discharges to those waters; and
9. To correct a technical error in the bill.

Enacted law summary

Public Law 1999, chapter 277 makes changes in the classification of several surface waters of the State based on the State's water quality classification system.

LD 1007

An Act to Repeal the Authorization of Lucerne-in-Maine Village Corporation to Construct Dams and Fishways

P & S 3

Sponsor(s)
POVICH
RUHLIN

Committee Report
OTP

Amendments Adopted

LD 1007 proposed to repeal the authority given to the Lucerne-in-Maine Village Corporation to construct, operate and maintain a dam and a fishway at the outlet of Phillips Lake in the town of Dedham.

Enacted law summary

Private and Special Law 1999, chapter 3 repeals the authority given to the Lucerne-in-Maine Village Corporation to construct, operate and maintain a dam and a fishway at the outlet of Phillips Lake in the town of Dedham.

LD 1049

An Act to Repeal the Enhanced Inspection Requirements for Motor Vehicles Registered in Cumberland County

ONTTP

Sponsor(s)
GLYNN

Committee Report
ONTTP

Amendments Adopted

LD 1049 proposed to repeal the enhanced inspection requirements for motor vehicles registered in Cumberland County, instead requiring those vehicles to meet the same inspection standards as vehicles registered in other counties in the State.

The bill also proposed to require the Chief of the State Police to provide reimbursement of the cost of any equipment purchased by an inspection station in Cumberland County to allow the station to provide an enhanced inspection.

LD 1080 An Act to Direct State Capital Investments to Locally Designated Growth Areas CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LONGLEY COWGER		

LD 1080 proposes to define state growth-related capital investments and to direct them to locally designated growth areas as identified in local comprehensive plans or to areas with public sewer systems with the capacity to handle the development. Exceptions would be made for state investments required to remedy threats to public health and safety; to purchase lands for parks, open space and conservation; to assist natural resource-based industries and other activities that are typically located away from other development; to expand highways that meet national, state or regionwide needs; and for tourist and cultural facilities that rely on specific historic, natural or cultural resources. This bill was carried over to the Second Regular Session of the 119th Legislature.

LD 1082 An Act to Reauthorize and Amend the Diesel-powered Motor Vehicle Emission Opacity Testing Program PUBLIC 356 EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TREAT ETNIER	OTP-AM	H-546 CAMERON S-184

LD 1082 proposed to reauthorize the diesel-powered motor vehicle emission opacity testing program scheduled for repeal on June 30, 1999. The bill also proposed to change the size of diesel-powered motor vehicles that are subject to program requirements and establish provisions governing penalties for failure to comply with opacity testing standards.

This bill was submitted on behalf of the Department of Environmental Protection.

Committee Amendment "A" (S-184) proposed to do the following.

1. It proposed to expand the Diesel-powered Motor Vehicle Emission Opacity Testing Program to noncommercial vehicles.
2. It proposed to give owners or operators of vehicles that violate operating standards for the first offense 30 days to make repairs to bring vehicles into compliance.
3. It proposed to increase the fine for the initial violation to \$250.
4. It proposed to expand the rule-making authority of the department to include procedures for enforcement of the opacity testing program.
5. It proposed to change the effective date of the penalty provisions to January 1, 2000.

House Amendment "A" to Committee Amendment "A" (H-546) presented on behalf of the Committee on Bills in the Second Reading, proposed to correctly indicate language being stricken from current law.

Public Law 1999, chapter 356 does the following:

Chapter 356 was enacted as an emergency measure effective May 28, 1999. The effective date of the penalty provisions is January 1, 2000.

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAVIDSON	ONTP	

LD 1160 **An Act to Amend Certain Laws Administered by the Department of Environmental Protection, Bureau of Land and Water Quality** **PUBLIC 243**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN	OTP-AM	H-278

This bill was submitted on behalf of the Department of Environmental Protection.

Committee Amendment "A" (H-278) proposed to make the following changes to the bill.

1. It proposed to strike an unnecessary cross-reference change from the bill.
2. It proposed to maintain the increases in the state share of costs for certain pollution abatement construction projects serving seasonal dwellings, but to strike the increase for seasonal dwellings whose owners have an annual income

above \$20,000. It also proposed to limit the increase in the state share of overboard discharge replacement projects that result in the removal of a seasonal residential overboard discharge to projects that the Commissioner of Marine Resources certifies as likely to result in the opening of a shellfish harvesting area.

3. It proposed to strike an inconsistent term from several places in the mandatory shoreland zoning laws.
4. It proposed to provide an exception to the existing prohibition on direct discharges of pollutants to Class AA, Class GPA and Class SA waters for storm water discharges in compliance with state and local requirements.
5. It proposed to amend the language authorizing an extension of the review period for cranberry cultivation permits and agricultural irrigation pond permits to authorize an extension only with the consent of the applicant. It also proposed to amend the language authorizing an extension of the review period for freshwater wetland permits to authorize an extension if a project requires more than one permit from the Department of Environmental Protection.
6. It proposed to further clarify provisions governing the municipal review of developments under the site location of development laws.
7. It proposed to extend the authority of the Joint Standing Committee on Natural Resources to report out legislation regarding buffer strips and substandard subsurface disposal systems to the Second Regular Session of the 119th Legislature.

Enacted law summary

Public Law 1999, chapter 243 makes the following changes to the laws administered by the Department of Environmental Protection, Bureau of Land and Water Quality:

1. It allows the department to compound and assess adjustments to the fees that go into the Maine Environmental Protection Fund at intervals greater than one year and it increases the cap on special license and permit application fees from \$40,000 to \$75,000;
2. It increases the state share of certain pollution abatement construction projects serving seasonal dwellings and increases the state share of overboard discharge replacement projects that result in the removal of a seasonal residential overboard discharge and that the Commissioner of Marine Resources certifies as likely to result in the opening of a shellfish harvesting area;
3. It amends the mandatory shoreland zoning laws by replacing the word "shoreline" with the phrase "the normal high-water line or upland edge of a wetland" in the alternative expansion requirement and makes other references in those laws consistent with that term;
4. It provides an exception to the existing prohibition on direct discharges of pollutants to Class AA, Class GPA and Class SA waters for storm water discharges in compliance with state and local requirements;
5. It amends the natural resources protection laws by clarifying the definition of "permanent structure", authorizing an extension of the review period for certain permits issued under the natural resources protection laws in certain circumstances, and adding an additional eligibility criterion to the agricultural irrigation pond general permit provisions in the natural resources protection laws to provide that an agricultural irrigation pond may not be located in a river, stream or brook if it is determined by the Department of Environmental Protection at the site assessment that there is a practicable alternative water supply that would be less damaging to the environment;
6. It amends provisions concerning the establishment of water levels to provide that once a water level has been set on a lake or pond by the Commissioner of Environmental Protection, the commissioner does not have to hold another hearing to establish a new water level in response to a public petition unless there has been a substantial change in conditions since the original water level decision was made;

7. It clarifies provisions governing the municipal review of developments under the site location of development laws; and
8. It extends the authority of the Joint Standing Committee on Natural Resources to report out legislation regarding buffer strips and substandard subsurface disposal systems to the Second Regular Session of the 119th Legislature.

LD 1170

An Act Concerning the Review of State Solid Waste Management Policies

PUBLIC 527 EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MITCHELL B MARTIN	OTP-AM	H-550 MARTIN S-185 S-464 TREAT

LD 1170 proposed to expand the scope of the review policy that the State Planning Office must conduct when a state solid waste management and recycling plan is submitted for review.

Committee Amendment "A" (S-185) proposed to require the solid waste management task force to meet as determined appropriate by the State Planning Office, but at least once every 5 years, to review the state solid waste management policy and review the continued development and expansion of beneficial reuse and recycling. This amendment also proposed to require that membership in the task force include 5 Legislators from the Joint Standing Committee on Natural Resources, 2 Senators and 3 Representatives.

House Amendment "A" (H-550) proposed to change a date in the emergency preamble to the last business day of the year.

Senate Amendment "A" to Committee Amendment "A" (S-464) proposed to remove language that requires that membership on the solid waste management task force include Legislators from the joint standing committee of the Legislature having jurisdiction over natural resources matters. It proposed to require the task force to consult with members of the joint standing committee of the Legislature having jurisdiction over natural resources matters.

Enacted law summary

Public Law 1999, chapter 527 requires the solid waste management task force to meet as determined appropriate by the State Planning Office but at least once every 5 years to review the state solid waste management policy and review the continued development and expansion of beneficial reuse and recycling. It requires the task force to consult with members of the joint standing committee of the Legislature having jurisdiction over natural resources matters.

Chapter 527 was enacted as an emergency measure effective June 17, 1999.

LD 1209

An Act Regarding Property Owners Whose Land Abuts a Solid or Special Waste Landfill

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TRACY		

LD 1209 proposes to provide that persons who owned property abutting a landfill prior to the development of the landfill are entitled to receive 5% of the tipping fees as compensation for interference with the use and enjoyment of the

property. This bill also proposes that these abutters are also entitled to have the licensee of the landfill or the State pay for semiannual water testing. This bill was carried over to the Second Regular Session of the 119th Legislature.

LD 1212 Resolve, to Replace Reformulated Gasoline and Require an Alternative ONTP
Reid Vapor Pressure/Low-sulfur Substitute for the State

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TRIPP LIBBY	ONTP	

LD 1212 proposed to require the Board of Environmental Protection to adopt rules requiring the use of low-sulfur fuel with a Reid vapor pressure measure of not greater than 7.8 pounds per square inch between May 1st and September 15th in the entire State. The bill proposed to specify that the fuel may not contain MTBE.

LD 1256 Resolve, to Establish a Task Force to Study the Operation of and Support RESOLVE 85
for the Board of Environmental Protection EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COWGER TREAT	OTP-AM	H-169 S-446 MICHAUD

LD 1256 proposed to establish an 11-member task force to study whether the Board of Environmental Protection operates as an independent body or as a part of the executive branch of government and whether the administrative and technical staff dedicated exclusively to the Board of Environmental Protection is needed. It proposed that the task force report its findings to the Joint Standing Committee on Natural Resources by January 15, 2000.

Committee Amendment "A" (H-169) proposed to change the membership of the Task Force to Study the Operation of and Support for the Board of Environmental Protection to consist of a subcommittee of no more than 6 members of the Joint Standing Committee on Natural Resources. It proposed to clarify the duties, staffing and compensation of the task force, and to authorize the task force to hold 5 meetings, including one public hearing. The amendment also proposed to add an appropriation section to fund the costs of the task force.

Senate Amendment "A" to Committee Amendment "A" (S-446) proposed to add an emergency preamble and an emergency clause to the bill. The amendment proposed to provide that the first named Senate member and the first named House member serve as cochairs of the task force and to change the reporting date to December 1, 1999.

Enacted law summary

Resolve 1999, chapter 85 establishes the Task Force to Study the Operation of and Support for the Board of Environmental Protection to review the structure and operation of the Board of Environmental Protection. The task force, composed of a 6-member subcommittee of the Joint Standing Committee on Natural Resources, is to report its findings to the Joint Standing Committee on Natural Resources by December 1, 1999.

Chapter 85 was enacted as an emergency measure effective June 17, 1999.

LD 1298**An Act to Amend the Certification Process of Code Enforcement Officers****ONTP**

Sponsor(s)
COLWELL
DAGGETT

Committee Report
ONTP

Amendments Adopted

LD 1298 proposed to provide that a person may not be certified or recertified as a code enforcement officer or may have a certification revoked, if that person has been convicted of murder or any Class A, Class B or Class C crime or has been convicted of any crime in the State of Maine or another jurisdiction for which the maximum term of imprisonment prescribed by law exceeds one year.

LD 1306**An Act to Require Legislative Review of Motor Vehicle Fuel Standards****PUBLIC 107
EMERGENCY**

Sponsor(s)
DAIGLE

Committee Report
OTP

Amendments Adopted

LD 1306 provides that any rules relating to motor vehicle fuel standards are subject to legislative review as major substantive rules pursuant to the Maine Administrative Procedure Act.

Enacted law summary

Public Law 1999, chapter 107 makes rules relating to motor vehicle fuel standards major substantive rules pursuant to the Maine Administrative Procedures Act. Chapter 107 was enacted as an emergency measure effective April 30, 1999.

LD 1311**An Act to Repeal the Emissions Testing Program in Cumberland County CARRIED OVER**

Sponsor(s)
FOSTER
HARRIMAN

Committee Report

Amendments Adopted

LD 1311 proposes to repeal the enhanced inspection requirements for motor vehicles registered in Cumberland County, instead requiring those vehicles to meet the same inspection standards as vehicles registered in other counties in the State. This bill was carried over to the Second Regular Session of the 119th Legislature.

LD 1355**An Act to Prohibit a Municipality from Being Penalized by the State for Lacking a Comprehensive Plan****ONTP**

Sponsor(s)
MACK
DAVIS P

Committee Report
ONTP

Amendments Adopted

LD 1355 proposed to repeal the section of the growth management law that gives certain grant and state aid preference to municipalities that have implemented a comprehensive plan under the growth management law.

LD 1356**An Act to Allow Authorized Removal of a Beaver Dam Without a Permit****PUBLIC 148**

Sponsor(s)
SHERMAN

Committee Report
OTP-AM

Amendments Adopted
H-212

LD 1356 proposed to allow a game warden to authorize the removal of a beaver dam without needing a permit under the natural resources protection laws if the beaver dam, in the opinion of the warden, has caused or may cause damage to private property, including woods or existing private roads.

Committee Amendment "A" (H-212) proposed to remove the section from the bill that gives a game warden authority to approve the removal of a beaver dam, because game wardens have that authority under existing law. The amendment also proposed to clarify that a person who removes a beaver dam as authorized by a game warden would be exempt from the requirement to get a permit under the natural resources protection laws only if the removal meets certain standards.

Enacted law summary

Public Law 1999, chapter 148 authorizes the removal of a beaver dam without a permit under the natural resources protection laws if the removal is authorized by a game warden and if the removal meets certain standards.

LD 1394**An Act to Limit the Idling Time for Diesel Motor Vehicles****ONTP**

Sponsor(s)
POWERS

Committee Report
ONTP

Amendments Adopted

LD 1394 proposed to prohibit a person from idling a diesel bus or truck for more than five minutes, except under certain conditions.

LD 1395**Resolve, Establishing a Commission to Study the Future Use and Reclamation of Number One Pond in Sanford****ONTP**

Sponsor(s)
TUTTLE
MACKINNON

Committee Report
ONTP

Amendments Adopted

LD 1395 proposed to establish an 11-member commission to study the environmental condition of Number One Pond in Sanford and adjacent public areas and to recommend steps necessary to clean up and restore the environment of the pond and surrounding lands.

LD 1454**An Act to Promote Ethanol Production as Alternative Fuel****PUBLIC 474**

Sponsor(s)
KNEELAND
KIEFFER

Committee Report
OTP-AM

Amendments Adopted
H-632

Committee Amendment "A" (H-632) proposed to add the Commissioner of Environmental Protection and a member appointed by that commissioner to the commission. The amendment also proposed to require annual reports to the joint standing committee of the Legislature having jurisdiction over natural resources matters and the joint standing committee of the Legislature having jurisdiction over agriculture, food and rural resources matters.

Public Law 1999, chapter 474 establishes the Agriculturally Derived Fuel Fund to promote the production and use of methanol and ethanol from agricultural biomass. The Finance Authority of Maine is given control of the fund. It also establishes the Agricultural Products Utilization Commission as an advisory commission to the authority, and also requires the Commission to report to FAME on fuel and groundwater issues. It requires the Commission to provide annual reports to the joint standing committee of the Legislature having jurisdiction over natural resources matters and the joint standing committee of the Legislature having jurisdiction over agriculture, food and rural resources matters.

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JONES LIBBY	ONTP	

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CLOUGH KONTOS		

Office of Policy and Legal Analysis

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FOSTER	OTP-AM MAJ	H-481
FERGUSON	ONTP MIN	

LD 1458 proposed to allow selective harvesting of up to 40% of the trees four inches or more in diameter over a 10-year period in resource protection zones around certain forested wetlands and in resource protection zones with slopes greater than 20%. The harvesting would have to leave a well-distributed stand of trees and other natural vegetation and could take place only when the ground is frozen.

Committee Amendment "A" (H-481), the majority report of the committee, proposed to give a municipality the option to allow timber harvesting in a resource protection zone abutting a great pond within a strip of land extending 75 feet inland from the normal high-water line, provided the harvesting is conducted only when the ground is frozen, there is no resultant soil disturbance, there is no entry into the strip by tracked or wheeled vehicles, no trees less than six inches in diameter are cut and no more than 30% of the trees six inches or more in diameter, measured at 4 1/2 feet above ground level, are cut in any 10-year period. The trees to be harvested would have to be marked by a licensed professional forester prior to a harvesting permit being issued by a municipality.

The amendment also proposed to increase the maximum penalty for a violation of shoreland zoning ordinances if the violation occurs in a resource protection zone.

Enacted law summary

Public Law 1999, chapter 370 gives a municipality the option to allow timber harvesting in a resource protection zone abutting a great pond within a strip of land extending 75 feet inland from the normal high-water line, provided the harvesting is conducted only when the ground is frozen, there is no resultant soil disturbance, there is no entry into the strip by tracked or wheeled vehicles, no trees less than six inches in diameter are cut and no more than 30% of the trees six inches or more in diameter, measured at 4 1/2 feet above ground level, are cut in any 10-year period. The trees to be harvested must be marked by a licensed professional forester prior to a harvesting permit being issued by a municipality.

The law also increases the maximum penalty for a violation of shoreland zoning ordinances if the violation occurs in a resource protection zone.

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
O'GARA		
DUPLESSIE		

LD 1506 proposes to direct the Department of Environmental Protection and the Department of Human Services to identify jointly all on-site peat sewage disposal systems installed since October 1, 1988 that have failed or are currently malfunctioning due to improper installation. The bill proposes to require the Department of Environmental Protection to reimburse the homeowners from within its existing budgeted resources for all costs associated with repairing or replacing the malfunctioning system.

The bill also proposes to require the Department of Human Services, Division of Health Engineering to provisionally adopt major substantive rules by January 31, 2000 that upgrade on-site peat sewage treatment systems from

experimental status to general use status and that establish clear guidelines for installing such systems. This bill was carried over to the Second Regular Session of the 119th Legislature.

LD 1516

An Act Concerning Disposal of Solid Waste from Decommissioning Activities

**PUBLIC 366
EMERGENCY**

<u>Sponsor(s)</u> TREAT SHIAH	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-285
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LD 1516 proposed to establish a permit requirement for disposal in this State of decommissioning materials from a nuclear power plant. The bill also proposed to require advance notice to any municipality in which decommissioning materials are proposed to be disposed of.

Committee Amendment "A" (S-285) proposed to replace the bill by requiring that municipalities be given advance notice of the amount, type and delivery schedule of decommissioning waste from closed nuclear power plants before it is disposed of within their boundaries. The amendment also proposed to extend the tenure of the Advisory Commission on Radioactive Waste and Decommissioning for another year. The amendment proposed to specify that reimbursements to the Department of Environmental Protection for decommissioning costs may not exceed \$50,000 per year. It also adds an emergency preamble, and an emergency clause to the bill.

Enacted law summary

Public Law 1999, chapter 366 requires that municipalities be given advance notice of the amount, type and delivery schedule of decommissioning waste from closed nuclear power plants before it is disposed of within their boundaries. The law also extends the tenure of the Advisory Commission on Radioactive Waste and Decommissioning for another year. The law specifies that reimbursements to the Department of Environmental Protection for decommissioning costs may not exceed \$50,000 per year.

Chapter 366 was enacted as an emergency measure effective June 1, 1999.

LD 1517

An Act Concerning Transportation of Radioactive Waste

ONTP

<u>Sponsor(s)</u> TREAT	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 1517 proposed to require that a person shipping high-level radioactive waste out of the State have a permit issued by the Department of Environmental Protection.

LD 1519

An Act to Encourage Environmental Management Systems

CARRIED OVER

<u>Sponsor(s)</u> DAIGLE	<u>Committee Report</u>	<u>Amendments Adopted</u>
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LD 1519 proposes to establish a state policy to encourage facilities to develop and implement environmental management systems that conform to international standards. The bill proposes to require the Commissioner of

Environmental Protection to implement an incentives program to encourage facilities to implement environmental management systems by offering regulatory relief to facilities that implement certified environmental management systems. This bill was carried over to the Second Regular Session of the 119th Legislature.

LD 1520

**An Act Requiring Maine to Adopt the Federal Rules Regarding
Universal Waste**

**PUBLIC 340
EMERGENCY**

Sponsor(s)
DAIGLE

Committee Report
OTP-AM

Amendments Adopted
H-482

LD 1520 proposed to require the Board of Environmental Protection to adopt rules for the management of certain hazardous wastes, including batteries, pesticides and thermostats, that are managed under the federal universal waste rules. The bill proposed to require that the rules incorporate the management standards established in the federal rules regarding universal waste.

Committee Amendment "A" (H-482) proposed to replace the bill by specifically requiring the Board of Environmental Protection, by January 1, 2000, to adopt the United States Environmental Protection Agency universal waste rules regarding batteries and to further require the Board of Environmental Protection to adopt rules regarding other universal wastes, excluding pesticides.

Enacted law summary

Public Law 1999, chapter 340 requires the Board of Environmental Protection, by January 1, 2000, to adopt the United States Environmental Protection Agency universal waste rules regarding batteries and further requires the Board of Environmental Protection to adopt rules regarding other universal wastes, excluding pesticides.

Chapter 340 was enacted as an emergency measure effective May 26, 1999.

LD 1536

**Resolve, to Direct the Land and Water Resources Council to Develop a
Report and Proposed Actions to Control Dioxin Emissions and
Discharges**

ONTP

Sponsor(s)
BULL
TREAT

Committee Report
ONTP

Amendments Adopted

LD 1536 proposed to require the Land and Water Resources Council to develop a long-range strategy to evaluate and reduce levels of dioxin contamination in Maine's environment. The council would be required to submit its recommendations as part of its annual report beginning in January, 2000. The resolve also proposed to give the Joint Standing Committee on Natural Resources authority to report out legislation regarding the reduction of dioxin emissions and discharges to the Second Regular Session of the 119th Legislature.

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCKEE NUTTING J	ONTP	

LD 1537, a concept draft, proposed to increase local road assistance funds to towns for use in special erosion control projects on town roads located in lake watershed areas. These additional funds would be provided to towns on a project-by-project basis and only upon application by the town. The bill also proposed to consider direct impacts from state aid and federal aid highways in projects funded through existing highway lake protection programs.

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COWGER TREAT	OTP-AM	H-425 H-540 MARTIN S-456 MICHAUD

LD 1550 proposed to establish the Public Water Supply Protection Task Force, consisting of 17 members, to review existing protections for public water supplies and to identify steps to improve protection of public water supply wells and intakes. The bill proposed to require the task force to submit its report to the Joint Standing Committee on Health and Human Services and the Joint Standing Committee on Natural Resources by January 15, 2000.

This bill was submitted on behalf of the Department of Human Services.

Committee Amendment "A" (H-425) proposed to add an emergency preamble and emergency clause to the resolve. The amendment proposed to specify that the cochairs of the Public Water Supply Protection Task Force would be appointed by the President of the Senate and the Speaker of the House. It proposed to add as a duty of the task force the identification of steps to improve protection of public water supply wells and intakes from surface water uses posing threats to drinking water quality. The amendment proposed to specify that the task force shall submit its report to the Joint Standing Committee on Natural Resources.

The amendment also proposed to make a technical change in the fiscal year in the appropriation.

House Amendment "A" (H-540) proposed to change the reporting date to January 14, 2000.

Senate Amendment "A" to Committee Amendment "A" (S-456) proposed to add 2 members who are Legislators to the Public Water Supply Protection Task Force. It proposed to require the task force to evaluate fuel handling problems that lead to groundwater contamination from fuel and fuel additives, including MTBE. It proposed that the Office of Policy and Legal Analysis provide additional staffing assistance to the task force at the request of the chairs.

Enacted law summary

Resolve 1999, chapter 80 establishes the Public Water Supply Protection Task Force, consisting of 19 members, to review existing protections for public water supplies, to evaluate fuel handling problems that lead to groundwater contamination from fuel and fuel additives and to identify steps to improve protection of public water supply wells and intakes. The task force shall submit its report to the Joint Standing Committee on Natural Resources by January 14, 2000.

Chapter 80 was enacted as an emergency measure effective June 17, 1999.

LD 1562

An Act to Establish the Environmental Leadership Program

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
AMERO MURPHY T		

LD 1562 proposes to establish the voluntary Environmental Leadership Program under which a person may receive incentives for improving environmental quality if a facility owned by the person meets certain criteria. The incentives would include financial, procedural, license and public recognition incentives. The bill proposes to require the Board of Environmental Protection to adopt rules necessary to implement the program by July 1, 2000.

The bill also proposes to establish the Environmental Leadership Fund under which a person who owns a facility may receive a loan at below-market rates for pollution prevention, toxic use reduction, resource use reduction, resource recovery, energy efficiency or development of innovative environmental technologies. The fund would be authorized to receive dollars from any public or private source. This bill was carried over to the Second Regular Session of the 119th Legislature.

LD 1601

Resolve, to Direct the Department of Environmental Protection and the Department of Economic and Community Development to Devise a Proposal for Long-term Funding of the Removal of Tire Dumps

RESOLVE 48

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SMALL SHIAH	OTP-AM	H-539 MARTIN S-186

LD 1601 proposed to require the Commissioner of Environmental Protection and the Commissioner of Economic and Community Development to devise a system for entering into long-term contracts with tire abatement and site remediation contractors.

Committee Amendment "A" (S-186) proposed to remove the requirement that the Commissioner of Environmental Protection and the Commissioner of Economic and Community Development devise a system for entering into long-term contracts with tire abatement and site remediation contractors and further proposed that the commissioners review alternative funding issues for dealing with waste tires. The amendment also adds a fiscal note to the resolve.

House Amendment "A" (H-539) proposed to change the reporting date.

Enacted law summary

Resolve 1999, chapter 48 requires the Commissioner of Environmental Protection and the Commissioner of Economic and Community Development to devise a system for entering into contracts with tire abatement and site remediation contractors and further requires that the commissioners review alternative funding issues for dealing with waste tires. The Commissioners are to report to the Joint Standing Committee on Natural Resources by January 14, 2000.

<u>Sponsor(s)</u> COWGER	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-519
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LD 1625 proposed to do the following:

1. Establishes a penalty for late payment of oil import fees;
2. Requires operators of underground motor fuel storage facilities to report inventory discrepancies exceeding 200 gallons. Under current law, discrepancies of 200 gallons or more do not need to be reported if they do not exceed 1% of the 30-day throughput for the facility;
3. Establishes a lien to facilitate recovery of costs incurred by the department in the abandonment of an underground oil storage facility;
4. Eliminates obsolete language from the provision requiring legislative review of all rules related to aboveground and underground oil storage facilities;
5. Requires underground piping at aboveground oil storage facilities to meet the same requirements that apply to underground piping at underground oil storage facilities;
6. Changes the definition of "lead inspection" to be consistent with other terminology used in the lead abatement laws;
7. Changes the definition of "waste oil" to include synthetic oil that has become contaminated or otherwise is unsuited for its original purpose. This change is needed to ensure proper handling of all contaminated oils, regardless of whether the oil is petroleum based or produced by synthesis;
8. Makes municipalities ineligible for reimbursement of landfill closure and remediation costs associated with a landfill licensed after the cost-share program was established, or for remediation costs related to threats posed by the landfill to structures built after December 31, 1999;
9. Provides for notice of the existence of a closed solid waste landfill in real estate transactions involving the landfill property; and
10. Corrects an error in the wording of the rule-making authority for hazardous matter.

This bill was submitted on behalf of the Department of Environmental Protection.

Committee Amendment "A" (H-519) proposed to do the following.

1. It allows the Department of Environmental Protection to waive penalties for late payment of oil import fees for good cause shown;
2. It allows a municipality to receive a maximum 50% reimbursement of the remediation cost related to threats posed by municipal landfills for structures constructed after December 31, 1999, provided that the municipality has taken reasonable steps to abate the threats; and
3. It provides that sellers of property must give notice to buyers when selling land upon which a closed or abandoned municipal solid waste landfill is located.

Enacted law summary

Public Law 1999, chapter 334 does the following:

1. It establishes a penalty for the late payment of oil import fees. The Department of Environmental Protection may waive the penalties for late payment of oil import fees for good cause shown;
2. It requires operators of underground motor fuel storage facilities to report inventory discrepancies exceeding 200 gallons. Under current law, discrepancies of 200 gallons or more do not need to be reported if they do not exceed 1% of the 30-day throughput for the facility;
3. It establishes a lien to facilitate recovery of costs incurred by the department in the abandonment of an underground oil storage facility;
4. It eliminates obsolete language from the provision requiring legislative review of all rules related to aboveground and underground oil storage facilities;
5. It requires underground piping at aboveground oil storage facilities to meet the same requirements that apply to underground piping at underground oil storage facilities;
6. It changes the definition of "lead inspection" to be consistent with other terminology used in the lead abatement laws;
7. It changes the definition of "waste oil" to include synthetic oil that has become contaminated or otherwise is unsuited for its original purpose. This change is needed to ensure proper handling of all contaminated oils, regardless of whether the oil is petroleum based or produced by synthesis;
8. It provides that the municipality is entitled to receive a maximum 50% reimbursement of the remediation cost related to threats posed by municipal landfills for structures constructed after December 31, 1999, provided that the municipality has taken reasonable steps to abate the threats;
9. It provides that sellers of property must give notice to buyers when selling land upon which a closed or abandoned municipal solid waste landfill is located; and
10. It corrects an error in the wording of the rule-making authority for hazardous matter.

LD 1626

An Act to Assist in the Cleanup of the Town of Wells Maine Waste Oil Site

PUBLIC 505

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAVIDSON	OTP-AM MAJ	H-730
KONTOS	OTP-AM MIN	H-738 DAIGLE

LD 1626 proposed to create a stream of revenue to retire the costs of investigation and remediation at 4 waste motor oil sites in Wells, Plymouth, Ellsworth and Casco. It proposed to retire the cost of any early pay-ins by various businesses at the Wells site. It proposed to authorize the Finance Authority of Maine is to issue revenue obligation securities in amounts sufficient to cover a large percentage of the clean-up costs. It proposed to retire these revenue obligation securities with funds derived from a premium on motor oil imposed at the wholesale level.

It proposed that the State and instrumentalities of the State, including the Department of Transportation, the Department of Public Safety and counties and municipalities, would be eligible to participate in the Waste Motor Oil

Disposal Site Remediation Program. It proposed that the revenue obligation securities would also cover the shares of those businesses that maintained or repaired motor vehicles between 1953 and 1981, and that had waste motor oil deposited at one or more of the 4 sites. The United States Government and its instrumentalities would not be eligible to participate in the program.

It proposed to create the Waste Motor Oil Revenue Board to oversee the process and make determinations as to eligibility for participation in the program.

Committee Amendment "A" (H-730) proposed to replace the bill and create the Wells Waste Oil Cleanup Fund under the jurisdiction and control of the Finance Authority of Maine.

House Amendment "A" to Committee Amendment "A" (H-738) proposed to add a new Part that establishes the Select Commission to Study State Participation in Funding Cleanup and Remediation of Uncontrolled Hazardous Substance Sites.

Enacted law summary

Public Law 1999, chapter 505 creates the Wells Waste Oil Cleanup Fund under the jurisdiction and control of the Finance Authority of Maine. The fund provides low or zero interest loans and loan guarantees of up to \$50,000 to eligible Maine residents and businesses who have been identified as responsible parties at the Portland-Bangor Waste Oil Services Site in Wells and who have demonstrated financial need. The fund also provides for assistance to municipalities identified as responsible parties at the Wells site. In addition, the Finance Authority of Maine may issue deferred loans, which may be converted to a grant. The loan program is funded through a one-time \$4,000,000 transfer from the Underground Oil Storage Replacement Fund. Any remaining balance of the fund reverts to the Ground Water Oil Clean-up Fund after the Department of Environmental Protection determines that the Wells waste oil site has been finally cleaned up.

The law also provides for payments of up to \$2,000 for each Maine responsible party that makes a claim for this payment, with additional reimbursements to Maine responsible parties up to maximum of the person's share of the total response costs multiplied by the total orphan share percentage at the Wells site. This direct payment program is funded by a \$3,100,000 transfer from the Maine Rainy Day Fund.

The law requires the Fund Insurance Review Board and the Finance Authority of Maine to review and make necessary adjustments from the Underground Oil Storage Replacement Fund to the Ground Water Oil Clean-up Fund. The law requires the Department of Environmental Protection to report to the Joint Standing Committee on Natural Resources on the appropriate balance of the Ground Water Oil Clean-up Fund, and the status of the cleanup and remediation of the Portland-Bangor Waste Oil Services Site in Wells. Finally, the law establishes the Select Commission to Study State Participation in Funding Cleanup and Remediation of Uncontrolled Hazardous Substance Sites.

LD 1643

An Act to Remove Certain Wetland Sites Requirements for Proposed Developments within the Jurisdiction of the Maine Land Use Regulation Commission

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GOODWIN	ONTP	

LD 1643 proposed to prohibit the Maine Land Use Regulation Commission from requiring that applicants for permits conduct a wetlands delineation on undisturbed land surrounding a proposed development unless a portion of the land to be disturbed by the development is a wetland. The bill also proposed to make unenforceable existing Maine Land Use Regulation Commission rules that conflict with the provisions of the bill.

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TREAT ROWE	ONTP	

LD 1669 proposed to amend the laws relating to toxics use and hazardous waste reduction in the following ways.

1. It proposed to add to the State's toxics use reduction and hazardous waste management policy the objectives of continuous improvement in pollution prevention and open, public accountability.
2. It proposed to revise the toxics use, toxics release and hazardous waste reduction goals by establishing statewide goals of a 10% reduction by January 1, 2002, a 20% reduction by January 1, 2004 and a 30% reduction by January 1, 2006. It proposed to require the Commissioner of Environmental Protection to submit an annual report to the joint standing committee of the Legislature having jurisdiction over natural resources matters on the progress toward meeting the statewide goals for toxics use, toxics release and hazardous waste reduction and the adequacy of the reduction goals set by facilities.
3. It proposed to require the Commissioner of Environmental Protection to adopt rules to establish guidelines for measuring the progress of new facilities toward minimizing toxics use, toxics release and hazardous waste generation.
4. It proposed to clarify which facilities would be required to prepare pollution prevention plans, plan summaries and annual progress reports and which facilities would be exempt from planning, reporting and fee requirements.
5. It proposed to require facilities to prepare pollution prevention plans by September 1, 2000 and every three years thereafter. In addition to the current plan requirements, a plan would have to include a financial analysis of the costs and benefits of reducing the amount of toxics used, toxics released and hazardous waste generated and the facility's goals for reducing the amount of extremely hazardous substances used, toxics released and hazardous waste generated. It also proposed to require facilities to submit summaries of their pollution prevention plans and annual pollution prevention progress reports to the Department of Environmental Protection.
6. It proposed to require facilities to involve employees in developing pollution prevention plans and plan updates. It also proposed to require facilities to notify the municipal officers in the municipality in which a facility is located of pollution prevention efforts and to provide the municipal officers with a copy of plan summaries.
7. It proposed to authorize the Commissioner of Environmental Protection to review pollution prevention plans, plan summaries and progress reports and to require the owners or operators of a facility to revise or modify a plan, plan summary or progress report. It proposed to require the commissioner to review a pollution prevention plan in the following situations: if the plan summary indicated significant deficiencies in the facility's pollution prevention efforts; if the facility failed to reach any of its reduction goals by more than 25%; or if the municipal officers or 50 registered voters in the municipality in which the facility is located submitted a petition to review the plan.
8. It proposed to require the Commissioner of Environmental Protection to organize and store in electronic form the information submitted to the department in annual progress reports. It also proposed to require the commissioner to offer technical services over the Internet and to establish a clearinghouse of technical information on toxic use reduction.
9. It proposed to require the Commissioner of Environmental Protection to submit several reports to the joint standing committee of the Legislature having jurisdiction over natural resources matters.

10. It proposed to authorize the Commissioner of Environmental Protection to designate by rule a class of facilities as subject to planning and reporting requirements if the commissioner made a finding that participation by that class of facilities could reduce threats to public health and the environment. Adding such a class of facilities would require review by the Legislature.
11. It proposed to require the Commissioner of Environmental Protection to establish, by October 1, 2006, new statewide goals for reducing the amount of toxics used, toxics released and hazardous waste generated.
12. It proposed to revise the fees required to be paid to the department by toxics users, toxics releasers and hazardous waste generators.
13. It proposed to clarify the penalties for failure to meet requirements under the toxics use and hazardous waste reduction laws.

LD 1691 An Act to Protect Maine's Lakes and Ponds from Camp Road Runoff ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCKEE NUTTING J	ONTP	

LD 1691 proposed to establish a camp road management grants program in the Department of Environmental Protection to provide matching financial and technical assistance grants to municipalities and nonprofit organizations involved in camp road construction and maintenance. Camp road projects within a shoreland zone would be eligible for matching grants. Grants would be awarded on a competitive basis based upon the degree to which the project design protects the associated water body from nonpoint source pollution associated with the use of the road. The bill proposed to fund the grant program from an annual appropriation of \$125,000 from the General Fund in each year of the biennium.

LD 1692 An Act to Expedite the Contaminated Groundwater Remediation Process ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CLOUGH AMERO	ONTP	

LD 1692 proposed to authorize the Department of Environmental Protection to finance extensions of public water supplies to restore or replace water supplies contaminated by hazardous wastes, waste oil or discharges of oil.

**LD 1711 An Act to Clarify the Law Governing Disbursements from the PUBLIC 278
Groundwater Oil Clean-up Fund**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCKEE	OTP-AM	H-426

LD 1711 proposed to make several changes to the laws governing disbursements from the Groundwater Oil Clean-up Fund.

This bill was submitted on behalf of the Department of Environmental Protection.

Committee Amendment "A" (H-426) proposed to strike the provisions of the bill that propose to make storage tank owners who apply to the Groundwater Oil Clean-up Fund for coverage of oil clean-up costs subject to conditional deductibles based on the failure of a prior owner to meet regulatory requirements.

Enacted law summary

Public Law 1999, chapter 278 does the following:

1. Makes an applicant to the Groundwater Oil Clean-up Fund ineligible for coverage of oil clean-up costs that the applicant already has recovered or subsequently recovers by court judgment or settlement with other responsible parties.
2. Increases from \$2,000,000 to \$2,250,000 the cap on disbursements from the Groundwater Oil Clean-up Fund for personal services in anticipation of hiring three to four employees to do oil remediation work that currently is being done by private contractors.
3. Authorizes an additional \$1,000,000 in disbursements from the Groundwater Oil Clean-up Fund to help low-income families remove nonconforming underground heating oil tanks and replace them with aboveground tanks that meet regulatory requirements.
4. Makes it clear that the commissioner shall seek reimbursement of all department clean-up costs that are not eligible for coverage by the fund, including costs paid from federal grant money.

LD 1714 An Act to Clarify and Improve the State's Solid Waste Management PUBLIC 385
Laws

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN	OTP-AM	H-633

LD 1714 proposed several changes to the State's solid waste management laws.

This bill was submitted on behalf of the Department of Environmental Protection

Committee Amendment "A" (H-633) proposed to correct typographical errors in the bill.

Enacted law summary

Public Law 1999, chapter 385 does the following:

1. Revises the Environmental Protection Fund fee schedule, which establishes statutory maximum fees. The revisions include changes to certain categories of licenses and fees in order to make them consistent with recently adopted solid waste management rules.
2. Revises the law to limit the scope of the nonhazardous waste transporter licensing program to the transportation of septage, used motor vehicle tires and construction or demolition debris.
3. Revises the law to expand the scope of the State Planning Office's technical and financial assistance program to include planning assistance to municipalities and regions for solid waste management in addition to recycling program assistance.

4. Revises the schedule for fees imposed on certain wastes disposed of in landfills. Specifically, the schedule makes fee amounts consistent between commercial and municipal landfills, imposes a consistent \$5 per ton fee on most categories of special waste, reduces the fee on municipal solid waste incinerator ash and front end process residue to \$1 per ton and imposes a consistent \$2 per ton fee on municipal solid waste disposed of at commercial and municipal landfills under very limited circumstances.

LD 1736 **An Act to Amend the Site Location of Development Laws to Include the Location and Safety of Transmission Towers** **ONTP**

<u>Sponsor(s)</u> POWERS		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1736 proposed to require the Department of Environmental Protection to consider the visual impact associated with the construction of electric transmission line towers, when reviewing an application for a site location of development permit.

LD 1763 **An Act to Require the Department of Environmental Protection to Mail the Department's Monthly Activity Report to Legislators on the Joint Standing Committees on Natural Resources and Health and Human Services** **ONTP**

<u>Sponsor(s)</u> KASPRZAK		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1763 proposed to require the Commissioner of Environmental Protection to mail the monthly activity report for the department to the members of the Joint Standing Committees on Natural Resources and Health and Human Services.

LD 1772 **An Act to Require Tire Manufacturers to Accept Tires for Return** **ONTP**

<u>Sponsor(s)</u> GOODWIN		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1772 proposed to require a tire manufacturer to accept for return those brands of tires it manufactures. This bill further proposed to eliminate the fee paid by the tire consumer for return of the motor vehicle tires.

LD 1774**An Act to Amend Environmental Penalties to Prohibit Fines on First-time Violators****ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KASPRZAK	ONTP MAJ	
DAVIS P	OTP-AM MIN	

LD 1774 proposed to prohibit the levying of fines on first-time violators of environmental laws as long as the violation was not willful and the violator agrees to work with the Department of Environmental Protection to correct any damage that may have occurred.

LD 1794**An Act to Encourage the Implementation of Pollution Prevention in Maine****ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
AMERO	ONTP	
MARTIN		

LD 1794 proposed to extend Maine's toxics use reduction laws by requiring facilities to establish their own facility-specific goals for toxics release, toxic use and hazardous waste reductions. The bill proposed to establish a recognition program for high performers and to require the Department of Environmental Protection to provide assistance to nonperformers and to require plan-summary submissions from nonperformers. The bill proposed to clarify penalties for failure to submit required reporting documents. The bill also proposed to incorporate pollution prevention into state policy and to require the Commissioner of Administrative and Financial Services to lead the development of an environmental management system for state facilities.

This bill was submitted on behalf of the Department of Environmental Protection.

LD 1808**An Act to Amend the Definition of Lender Under the Uncontrolled Hazardous Substance Sites Law****PUBLIC 289**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CIANCHETTE	OTP-AM	H-423

LD 1808 proposed to expand the definition of lender contained in the Maine Revised Statutes, Title 38 by incorporating a federal definition that would extend the potential applicability of the exemption from liability for lenders contained in Title 38, section 342-B, subsection 2 to entities purchasing mortgage notes on the secondary market.

Committee Amendment "A" (H-423) proposed to make a technical correction to a statutory cross-reference.

Enacted law summary

Public Law 1999, chapter 289 expands the definition of lender contained in Title 38, section 1362, subsection 1-B by incorporating a federal definition that would extend the applicability of the exemption from liability for lenders contained in Title 38, section 342-B, subsection 2 to entities purchasing mortgage notes on the secondary market.

LD 1822**An Act Allowing Kelly Sanborn to Remain in Her Current Residence****ONTP**

Sponsor(s)
MACK

Committee Report
ONTP

Amendments Adopted

LD 1822 proposed to allow Kelly Sanborn and her family to reside in an apartment in Standish with the current septic system.

LD 1823**An Act to Increase Accessibility to the Department of Environmental Protection Clean-up Funds for Businesses****PUBLIC 375
EMERGENCY**

Sponsor(s)
KILKELLY
HONEY

Committee Report
OTP-AM

Amendments Adopted
S-286

LD 1823 proposed to change the eligibility requirements for commercial establishments to receive state grants under the Small Community Grant Program to clean up individual malfunctioning wastewater systems by basing eligibility on federal taxable income rather than gross profit. The bill proposed to limit businesses that qualify for the grants to those with \$25,000 or less in annual taxable income.

Committee Amendment "A" (S-286) proposed to change the eligibility requirements for commercial establishments to receive assistance under the Small Community Grant Program by clarifying the definition of gross profit and allowing commercial establishments with \$100,000 or less in gross profit to be eligible for grants. The amendment proposed to authorize the Commissioner of Environmental Protection to reimburse applicants for eligible projects serving commercial establishments and undertaken in 1999 when funds become available through the sale of bonds. The amendment also proposed to add an emergency preamble and an emergency clause to the bill.

Enacted law summary

Public Law 1999, chapter 375 changes the eligibility requirements for commercial establishments to receive assistance under the Small Community Grant Program by clarifying the definition of gross profit and allowing commercial establishments with \$100,000 or less in gross profit to be eligible for grants. The law authorizes the Commissioner of Environmental Protection to reimburse applicants for eligible projects serving commercial establishments and undertaken in 1999 when funds become available through the sale of bonds.

Chapter 375 was enacted as an emergency measure effective June 1, 1999.

LD 1835**An Act to Amend the Department of Environmental Protection Laws****ONTP**

Sponsor(s)
JOY

Committee Report
ONTP

Amendments Adopted

LD 1835 proposed to amend the Department of Environmental Protection's permit-by-rule notification form by adding language that the department may not enter upon the applicant's land without prior knowledge or consent for each visit. The bill proposed to stipulate that an administrative consent agreement may not require a violator to waive any rights to

hearings or proceedings before the Board of Environmental Protection or contain any requirement to abide by conditions that were not agreed upon. The bill also proposed to amend the definitions of pollutant and river, stream or brook.

LD 1859 An Act to Require Enhanced Emissions Testing for the Entire State ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FOSTER	ONTP	

LD 1859 proposed to apply the provisions of the enhanced inspection, currently only required for motor vehicles registered in Cumberland County, to all motor vehicles registered in the State beginning January 1, 2001.

LD 1924 An Act to Reduce Mercury in Products ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	ONTP	

LD 1924 proposed to do the following:

1. It proposed to require manufacturers of mercury-added products to disclose the fact that a product offered for sale in this State contains mercury and to label the product accordingly;
2. It proposed to require persons who sell mercury-added lamps for use in large applications such as industrial facilities to clearly inform the purchaser in writing that the lamps contain mercury, a hazardous substance regulated by state and federal law, and that the lamps may not be placed in solid waste. It also proposed to require contractors who remove large quantities of mercury-added lamps to disclose, in writing, the arrangements made for management of the mercury in the removed lamps;
3. It proposed to impose restrictions on the sale and distribution of elemental mercury;
4. It proposed to ban the sale in the State of toys, games or clothing that contain mercury; and
5. It proposed to require the Land and Water Resources Council to submit a report on manufacturer responsibility for collection of mercury-added products from users with recommendations to implement a system for ensuring that disposal of mercury-added products does not contribute to mercury emissions to the environment.

**LD 2038 An Act to Amend the Water Quality Laws to Establish a New Standard for Mercury Discharges PUBLIC 500
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KONTOS	OTP-AM	S-316

LD 2038 proposed to make the following changes to the laws governing the discharge of mercury to the waters of the State:

1. It proposed to retain the mass-based effluent limits for any legal entity that on January 1, 1971 was discharging mercury in connection with any industrial process and on or before December 31, 1971 filed with the Board of Environmental Protection a statement indicating the amount so discharged;
2. It proposed to amend existing law governing the discharge of mercury and to regulate the discharge of mercury in accordance with the levels set forth in federal water quality criteria as established by the United States Environmental Protection Agency pursuant to the Clean Water Act; and
3. It proposed to preserve the Board of Environmental Protection's authority to regulate any toxic substance, including mercury, in any amount or concentration, including the complete prohibition of such substance based on sound risk assessment through its rulemaking powers.

Committee Amendment "A" (S-316) proposed to suspend the law that prohibits the discharge of mercury into the waters of the State in any concentration that increases the natural concentration of mercury in the receiving waters until October 1, 2001 and to prohibit anyone from discharging mercury in a concentration greater than the concentration discharged as of the effective date of this Act between the effective date and October 1, 2001. It proposed to retain the discharge limits for any entity that on January 1, 1971 was discharging mercury in connection with an industrial process and filed with the Board of Environmental Protection on or before December 31, 1971 a statement indicating the amount of mercury discharged on that date.

The amendment proposed to require the department to adopt rules that specify procedures to be used in establishing interim discharge limits for facilities. The discharge limits could not be less stringent than the facility's discharge levels as of the effective date of the legislation. The amendment proposed to require the department to work with a stakeholder group to develop model pollution prevention plans for mercury dischargers by December 31, 1999. It also proposed to require the department to report to the joint standing committee of the Legislature having jurisdiction over natural resources matters on the status of mercury discharges and the status of pollution prevention plan implementation by January 14, 2000 and January 15, 2001.

The amendment proposed to require the department to develop proposed statewide criteria for mercury and to submit its recommendations to the joint standing committee of the Legislature having jurisdiction over natural resources matters by January 15, 2001, together with any implementing legislation.

The amendment also proposed to add an emergency preamble and an emergency clause, an appropriation section and a fiscal note to the bill.

Enacted law summary

Public Law 1999, chapter 500 suspends the law that prohibits the discharge of mercury into the waters of the State in any concentration that increases the natural concentration of mercury in the receiving waters until October 1, 2001 and prohibits anyone from discharging mercury in a concentration greater than the concentration discharged as of the effective date of the law between the effective date and October 1, 2001. It retains the discharge limits for any entity that on January 1, 1971 was discharging mercury in connection with an industrial process and filed with the Board of Environmental Protection on or before December 31, 1971 a statement indicating the amount of mercury discharged on that date.

The law requires the department to adopt rules that specify procedures to be used in establishing interim discharge limits for facilities. The discharge limits may not be less stringent than the facility's discharge levels as of the effective date of the law. It requires the department to work with a stakeholder group to develop model pollution prevention plans for mercury dischargers by December 31, 1999. It also requires the department to report to the joint standing committee of the Legislature having jurisdiction over natural resources matters on the status of mercury discharges and the status of pollution prevention plan implementation by January 14, 2000 and January 15, 2001.

The law requires the department to develop proposed statewide criteria for mercury and submit its recommendations to the joint standing committee of the Legislature having jurisdiction over natural resources matters by January 15, 2001, together with any implementing legislation.

Chapter 500 was enacted as an emergency measure effective June 11, 1999.

LD 2063

An Act to Maintain Protection of Sand Dunes Under Existing Law

PUBLIC 298

Sponsor(s)
COLLINS
MACKINNON

Committee Report
OTP-AM

Amendments Adopted
H-424

LD 2063 proposed to require any building located within the so-called V-Zone, as designated by the National Flood Insurance Program after January 1, 1999, to have the same restrictions and permit requirements under the natural resources protection laws that existed prior to expansion of the V-Zones.

Committee Amendment "A" (H-424) proposed to prohibit the Department of Environmental Protection from denying a permit under the natural resources protection laws for reconstruction of a structure, including a structure destroyed by an ocean storm, solely because the structure is located in an area designated a V-Zone after January 1, 1999. The amendment would not change the department's standards for reconstruction activities in a V-Zone that was designated as such prior to January 1, 1999.

Enacted law summary

Public Law 1999, chapter 298 prohibits the Department of Environmental Protection from denying a Natural Resources Protection Act permit for reconstruction of a structure, including a structure destroyed by an ocean storm, solely because the structure is located in an area designated a V-Zone after January 1, 1999. The law does not change the department's standards for reconstruction activities in a V-Zone that was designated as such prior to January 1, 1999.

LD 2084

An Act to Reduce the Release of Mercury into the Environment from Consumer Products

CARRIED OVER

Sponsor(s)
TREAT
SAVAGE W

Committee Report

Amendments Adopted

LD 2084 proposes to require the Land and Water Resources Council to report annually to the joint standing committee of the Legislature having jurisdiction over natural resource matters on issues related to mercury contamination.

The bill proposes to prohibit the sale of certain products that contain mercury unless they are labeled to inform consumers that mercury is present in the item and that the item may not be disposed of until the mercury is removed and reused, recycled or otherwise managed. Products that would have to be labeled are thermostats and thermometers, switches, medical or scientific instruments, electric relays and other electrical devices and lamps.

The bill proposes to prohibit the disposal of labeled mercury-added products except as part of a collection system after June 1, 2001. It also proposes to require the separation of labeled mercury-added products from other solid waste. It proposes to require municipal and regional association solid waste disposal facilities to develop programs for the collection of mercury-added products by December 1, 2000 and to implement those programs by June 1, 2001. The bill proposes to require the Department of Environmental Protection and the State Planning Office to assist municipalities and regional associations in developing collection programs and informing the public about mercury-added products.

It proposes to require manufacturers of mercury-added products to establish a system for the proper collection, transportation and management of the products and to prohibit them from charging a fee for the collection system. The bill proposes to ban the sale in the State of toys, games and apparel that contain mercury.

The bill proposes to require the Department of Environmental Protection to develop a plan, in consultation with dentists, for reducing mercury pollution from dental procedures. It proposes to require the Board of Environmental Protection to adopt rules to implement mandatory source reduction of mercury from dental procedures. This bill was carried over to the Second Regular Session of the 119th Legislature.

LD 2137

An Act to Prohibit Motor Vehicles on Certain Lakes

ONTP

<u>Sponsor(s)</u> GAGNON DAGGETT	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 2137 proposed to prohibit the operation of a motor vehicle on any frozen body of water that is used as a public water supply. The bill proposed to provide for a one-time day pass that may be granted to allow a motor vehicle to be driven on the ice when it is in the best interest of the public.

LD 2151

An Act to Revise the State's Water Quality Standards

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RUHLIN	ONTP	

LD 2151 proposed to establish a new water quality standard for mercury based on the federal standard.

LD 2158

An Act to Authorize Matinicus Isle Plantation to Implement a Disposal Fee for Motorized Vehicles

P & S 28

<u>Sponsor(s)</u> PINGREE SKOGLUND	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-259
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LD 2158 proposed to authorize Matinicus Isle Plantation to assess a solid waste disposal fee for motorized vehicles on the island, not to exceed \$500 per vehicle.

Committee Amendment "A" (S-259) proposed to add an emergency preamble and emergency clause and expand the definition of motorized vehicles to include motor vehicles, trailers and travel trailers.

Enacted law summary

Private and Special Law 1999, chapter 28 authorizes Matinicus Isle Plantation to assess a solid waste disposal fee for motorized vehicles on the island, including trailers and travel trailers, not to exceed \$500 per vehicle.

LD 2182**An Act to Improve Air Quality through Market Incentives for the Purchase of Cleaner Vehicles****CARRIED OVER**

Sponsor(s)
WATSON
PINGREE

Committee Report

Amendments Adopted

LD 2182 proposes to implement the Cleaner Car Rebates Program to promote the purchase of new and used cleaner cars and trucks by offering a rebate to the purchaser of a cleaner vehicle. Under the bill, market incentives would be used to reduce air pollution and to assist automobile manufacturers and dealers in meeting the requirements of the low-emission vehicle program established pursuant to the Maine Revised Statutes, Title 38, section 585-D. This bill was carried over to the Second Regular Session of the 119th Legislature. This bill was carried over to the Second Regular Session of the 119th Legislature.

LD 2223**An Act to Encourage Continuous Improvement in Pollution Prevention in Maine****PUBLIC 348**

Reported by
TREAT

Committee Report
OTP

Amendments Adopted

LD 2223 proposed to amend the laws relating to toxics use, toxics release and hazardous waste reduction, as further described in the Enacted Law Summary. This bill was reported out of committee pursuant to Joint Order S. P. 806.

Enacted law summary

Public Law 1999, chapter 348 amends the laws relating to toxics use, toxics release and hazardous waste reduction in several ways, including revising the toxics use, toxics release and hazardous waste reduction goals by establishing statewide goals of a 40% reduction by January 1, 2002, a 50% reduction by January 1, 2004 and a 60% reduction by January 1, 2006 and by requiring facilities to establish 2-year goals for reducing the amount of extremely hazardous substances used, toxics released and hazardous waste generated; requiring the Commissioner of Administrative and Financial Services to lead the development of a pollution prevention system for state facilities by 2005; clarifying which facilities are required to prepare pollution prevention plans and progress reports and which facilities are exempt from planning, reporting and fee requirements; authorizing the Commissioner of Environmental Protection to require the owner or operator of a facility to submit a plan summary if the facility has not made sufficient progress in reducing toxics use, toxics release or hazardous waste generation as evidenced by the facility's progress report; requiring the commissioner to review a pollution prevention plan in certain situations; requiring the commissioner to organize and store in electronic form the information submitted to the department in progress reports; revising the fees required to be paid to the department by toxics users, toxics releasers and hazardous waste generators; and clarifying the penalties for failure to meet requirements under the toxics use and hazardous waste reduction laws. The law also requires the Commissioner of Environmental Protection to submit several reports to the joint standing committee of the Legislature having jurisdiction over natural resources matters and to establish a biennial performance recognition program for high performers. The law also allocates funds to the department for implementing the additional responsibilities.

LD 2228**An Act to Provide for Alternative Treatment of Biomedical Waste****CARRIED OVER**

Sponsor(s)
PARADIS
MARTIN

Committee Report

Amendments Adopted

LD 2228 proposes to allow the Department of Environmental Protection to permit a type of biomedical waste treatment facility that uses microwave disinfection technology. This bill was carried over to the Second Regular Session of the 119th Legislature.

LD 2238**An Act to Clarify the Solid Waste Laws as They Relate to the Exception to the Ban on New Commercial Landfills****PUBLIC 525
EMERGENCY**

Sponsor(s)
DAGGETT
COWGER

Committee Report
OTP-AM

Amendments Adopted
S-441

LD 2238 proposed to clarify the definition of "commercial waste facility" under the waste management laws.

Committee Amendment "A" (S-441) proposed to replace the bill by proposing to clarify the definition of "commercial solid waste disposal facility" and clarify the exceptions to the prohibition on commercial solid waste disposal facilities under the existing definition of commercial solid waste disposal facilities. In addition, the amendment proposed to specify that a generator-owned facility may not claim an exemption from the commercial solid waste disposal facility if it is primarily engaged in the business of treating or disposing of solid waste.

Enacted law summary

Public Law 1999, chapter 525 clarifies the definition of "commercial solid waste disposal facility" and clarifies the exceptions to the prohibition on commercial solid waste disposal facilities. Specifically, the law clarifies that a publicly owned solid waste facility is exempt from the prohibition on "commercial solid waste disposal facility" provided that the public entity also controls the decisions regarding the type and source of waste that is accepted, handled, treated and disposed of at the facility. In addition, the law specifies that a generator-owned facility may not claim an exemption from the commercial solid waste disposal facility if it is primarily engaged in the business of treating or disposing of solid waste.

Chapter 525 was enacted as an emergency measure effective June 17, 1999.

LD 2244**An Act to Fund Training Programs for Water Pollution Control Facility Operators****P & S 52**

Reported by
TREAT

Committee Report
OTP

Amendments Adopted

LD 2244 proposed to appropriate \$40,000 per year to the Department of Environmental Protection, Bureau of Land and Water Quality to support training programs for wastewater treatment plant operators. This bill was reported out of committee pursuant to Joint Order S. P. 843.

Enacted law summary

Private and Special Law 1999, chapter 52 appropriates \$40,000 per year to the Department of Environmental Protection, Bureau of Land and Water Quality to support training programs for wastewater treatment plant operators.

SP 827 **Joint Order Relative to the Task Force on Patterns of Development** **INDEF PP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TREAT		

SP 827 proposed to establish the Legislative Task Force on Patterns of Development. The joint order proposed to give the 14 member task force the following responsibilities: to review legislation relating to patterns of development carried over by the First Regular Session of the 119th Legislature, to review past work of the Legislature and state agencies relating to sprawl and service center communities and to report to the Legislature with recommendations.

A similar task force is established by Resolve 1999, chapter 63 (LD 304 in the Joint Standing Committee on State and Local Government).

HP 1581 **Joint Order Relative to the Stakeholders Group to Explore Options and Alternatives to MTBE and RFG** **INDEF PP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN		H-582

HP 1581 proposed to establish a stakeholders group to explore issues relating to alternative fuels, including alternatives to reformulated gasoline and MTBE.

House Amendment "A" (H-582) proposed to clarify that 2 of the members of the stakeholders group must be representatives of the fuel industry.

HP 1591 **Joint Resolution Supporting the Efforts of the Department of Environmental Protection in Protecting the People and Resources of Maine from Oil Spills** **CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TWOMEY GOLDTHWAIT		

HP 1591 proposes to support ongoing oil tanker safety rules and the oil spill prevention efforts of the Department of Environmental Protection. This Joint Order was carried over to the Second Regular Session of the 119th Legislature. This bill was carried over to the Second Regular Session of the 119th Legislature.